

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ROBERT BENEDETTO,)
)
Defendant.)
_____)

Case No.: CR- 05-00374
**ORDER DENYING MODIFICATION
OF THE PREVIOUSLY SET BAIL OF
\$50,000 CASH OR CORPORATE
SURETY**

On June 29, 2007, the parties appeared before Magistrate Judge Patricia V. Trumbull for hearing on the Government's motion for detention of Defendant Robert Benedetto, who had been extradited from Germany to the United States.¹ The Court set bail of \$50,000.00 cash or corporate surety plus confinement to a halfway house with GPS monitoring. The defendant apparently owned or partially owned a condominium in the Phillipines and has family members in Sweden who might help him with other bail. The court continued the case with the understanding that it would be re-calendared for setting bail when Defendant could meet the conditions set.

On August 16, 2007, the Court held a hearing on Defendant's motion to reconsider and

¹ The holding of this court is limited to the facts and the particular circumstances underlying the present motion.

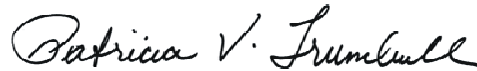
1 reduce the bail set. The defendant's condominium in the Philippines has been sold and \$20,000
2 is now available for bail. He has been unable to obtain any further funds. He thus requests a
3 further modification from \$50,000 to \$20,000 cash plus a halfway house placement and GPS
4 monitoring. The United States objects to such a reduction.

5 Mr. Benedetto is a very international person. He is a citizen of Sweden. He owned
6 property in the Manila. His parents are also citizens of Sweden and currently live there. He has
7 attended school in the United States and appears to travel easily around the world. He does not
8 have a history of stable residence or employment. The \$20,000 which is probably now available
9 for bail is not enough, even along with the other proposed conditions, to reasonably assure his
10 appearance as required.

11 Accordingly, It Is Hereby Ordered that Defendant's Motion to Modify Bail is DENIED.

12
13 IT IS SO ORDERED.

14 Dated: August 20, 2007



15
16 PATRICIA V. TRUMBULL
United States Magistrate Judge